

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 03-74710

MICHAEL DEMOSS,

Chapter 7

Debtor.

Judge Thomas J. Tucker

_____/

AMERICAN BUILDERS & CONTRACTORS
SUPPLY COMPANY, INC.,

Plaintiff,

v.

Adv. Pro. No. 04-4154

MICHAEL DEMOSS,

Defendant.

_____/

ORDER TO RE-CLOSE ADVERSARY PROCEEDING

On September 2, 2009, Plaintiff American Builders & Contractors Supply Company, Inc. filed, for the second time, a motion to reopen this adversary proceeding (Docket # 28, the “Motion”), for the purpose of enforcing and collecting on a judgment against Defendant Michael Demoss. On September 9, 2009, the Court granted the Motion and reopened the case. (Docket # 31.) On September 18, 2009, in response to Plaintiff’s ex parte motion filed the same day, the Court entered an Order entitled “Ex-Parte Order Directing Execution on Personalty” (Docket # 33). That Order provided for the United States Marshal to seize and sell Defendant’s property to satisfy Plaintiff’s judgment, “upon receipt from Plaintiff’s counsel of such further information and such signed forms as the United States Marshal may reasonably request.”

The Court’s docket reflects no further activity by Plaintiff during the 9+ weeks since the entry of the September 18, 2009 Order. The Court will not hold this adversary proceeding open

any longer.

Accordingly,

IT IS ORDERED that this adversary proceeding will now be closed once again.

Signed on November 21, 2009

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge